## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

NO. 1200294
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## **CORRECTED NOTICE OF HEARING**

TO THE RESPONDENT:

Patrick Steven Ford 114 Beechwood Road Summit, NJ 07901

John A. Combias, Managing Member

FCG Advisors, LLC One Main Street #202 Chatham, NJ 07928

You are hereby notified that pursuant to Section 11.F of the Illinois Securities Law of 1953 [815 ILCS 5] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 69 West Washington Street, Suite 1220, Chicago, Illinois 60602, on the 7<sup>th</sup> day of November, 2012 at the hour of 10:00 a.m. or as soon as possible thereafter, before James L. Kopecky Esq. or such other duly designated Hearing Officer of the Secretary of State.

Said hearing will be held to determine whether an order shall be entered revoking Patrick Steven Ford (the "Respondent") registration as a salesperson in the State of Illinois and/or granting such other relief as may be authorized under the Act including but not limited to the imposition of a monetary fine in the maximum amount pursuant to Section 11.E(4) of the Act, payable within ten (10) business days of the entry of the Order.

The grounds for such proposed action are as follows:

1. That at all relevant times, the Respondent was registered with the Secretary of State as a salesperson in the State of Illinois pursuant to Section 8 of the Act.

- 2. That on May 29, 2012 FINRA entered Decision & Order of Offer of Settlement ("AWC" or "Order") submitted by the Respondent regarding Disciplinary Proceeding No. 2009020662201 which sanctioned the Respondent as follows:
  - a) suspended from association with any FINRA member in any capacity for ninety days (90);
  - b) fined \$20,000; and
  - c) requalification details: Ford is required to undergo requalification by examination for the series 24 license before again acting in a principal capacity.
- 3. That the Order found: Rule 2110, NASD RULE 2110: Ford improperly used customer information, Ford directed his unregistered assistant to establish log-on identification and passwords to third-party vendor platforms for four customers, and then used those credentials to execute transactions at the customer's request. Ford maintained the confidential customer log-on and password information in his customer files. Ford made a negligent misrepresentation in a communication to a FINRA-registered firm. At the request of Ford's customer, Ford inaccurately stated that he fully managed the customer's accounts as the advisor, and that the customer did not have discretion over the accounts. In fact, Ford did not have discretionary authority and the customer was free to execute transactions for the accounts. Ford negligently created and used misleading account summaries for his customers. During the period November 1, 2008 to October 31, 2009, Ford directed his unregistered assistant to generate summary reports for 15 clients. The values of certain securities set forth in these summaries were not fully accurate or Certain summary reports showed mutual fund values that were inflated by 3-6 percent at the time the reports were used, because they reflected stale prices. The reports did not disclose the valuation dates associated with mutual fund values. Certain reports also described the cash value of policies but did not indicate whether the figure represented was a net surrender value. In addition, the reports did not utilize a firm-approved format or contain regulatory disclosures. The reports were not submitted for review to the firm as outgoing correspondence. Ford Maintained pre-signed client forms in his files. During the period February 1, 2006 through October 31, 2009, Ford maintained several client files that contained blank forms that had already been signed by customers. These included client transfer forms, which were used to transfer accounts to his firm. and IRA withdrawal forms, which were used to make annual IRA withdrawals. Ford did not submit any transactions using these forms without client approval.
- 4. That Section 8.E(1)(j) of the Act provides, inter alia, that the registration of a salesperson may be revoked if the Secretary of State finds that such Salesperson has been suspended by any self-regulatory organization Registered under the Federal 1934 Act or the Federal 1974 Act arising from any fraudulent or

deceptive act or a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory Organization.

- 5. That FINRA is a self-regulatory organization as specified in Section 8.E(1)(j) of the Act.
- 6. That by virtue of the foregoing, the Respondent's registration as a Salesperson in the State of Illinois is subject to revocation pursuant to Section 8.E(1)(j) of the Act.

You are further notified that you are required pursuant to Section 130.1104 of the Rules and Regulations (14 ILL. Adm. Code 130) (the "Rules"), to file an answer to the allegations outlined above within thirty (30) days of the receipt of this Notice. A failure to file an answer within the prescribed time shall be construed as an admission of the allegations contained in the Notice of Hearing.

Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to so appear shall constitute default, unless any Respondent has upon due notice moved for and obtained a continuance.

A copy of the Rules, promulgated under the Act and pertaining to hearings held by the Office of the Secretary of State, Securities Department, is included with this Notice.

Delivery of Notice to the designated representative of any Respondent constitutes service upon such Respondent.

Dated: This 6 day of September 2012.

JESSE WHITE
Secretary of State
State of Illinois

Attorney for the Secretary of State: Cheryl Goss Weiss Office of the Secretary of State Illinois Securities Department 69 West Washington Street, Suite 1220 Chicago, Illinois 60602 Telephone: (312) 793-3384

Hearing Officer: James L. Kopecky: 203 N. LaSalle Chicago, Illinois 60601